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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MARIBEL MURILLO, individually and as  
successor-in-interest Of The Estate of  
deceased, JONATHAN MURILLO-NIX,

Plaintiff,

v.

CITY OF LOS ANGELES, a governmental  
entity; JESUS MARTINEZ, individually;  
KYLE GRIFFIN, individually; and DOES  
1- 10, inclusive,

Defendants.

Case No. 22-cv-03188-DMG (SKx)

**DECLARATION OF KEVIN E.  
GILBERT IN SUPPORT OF  
DEFENDANTS' JOINT MOTION  
FOR SUMMARY JUDGMENT OR, IN  
THE ALTERNATIVE, PARTIAL  
SUMMARY JUDGMENT**

DATE: December 15, 2023

TIME: 2:00 p.m.

DEPT: Courtroom 8C

JUDGE: Hon. Dolly M. Gee

1 I, Kevin E. Gilbert, if called upon to testify will competently testify as follows:

2 1. I am an attorney at law licensed to practice before this Court. I am an  
3 attorney with the law firm of Orbach Huff + Henderson, LLP, attorneys of record for  
4 Defendants OFFICERS JESUS MARTINEZ and KYLE GRIFFIN (collectively  
5 “Defendants”) in the above-referenced matter. I have personal knowledge of the matters  
6 set forth herein below and if called upon to testify will competently testify thereto.

7 2. On November 2, 2023, Defendants filed an Application (Dkt. 40) to file  
8 certain exhibits under seal, including specifically videos recorded by the body-worn  
9 cameras worn by police officers during the incident giving rise to this litigation, as well  
10 as a screen-shot from one of those videos. As of the date of submitting this Declaration,  
11 a ruling from the Court has not yet been received. As the subject videos are law  
12 enforcement records, Defendants respectfully seek an order authorizing certain privileged  
13 records to be filed under seal. Copies of the full videos noted below (Exhibits E-I, K-M,  
14 O-Q, and S-T) have been filed under seal as part of Defendants’ Application to file under  
15 seal and are incorporated herein.

16 3. Attached hereto as **Exhibit A** is a true and correct copy of the audio of the  
17 first 911 call (without time stamp).

18 4. Attached hereto as **Exhibit B** is a true and correct copy of the audio of the  
19 first 911 call (with time stamp).

20 5. Attached hereto as **Exhibit C** is a true and correct copy of the audio of the  
21 second 911 call (without time stamp).

22 6. Attached hereto as **Exhibit D** is a true and correct copy of the audio of the  
23 second 911 call (with time stamp).

24 7. Attached hereto as **Exhibit E** is a true and correct redacted copy of the video  
25 from Officer Jose Mendoza’s body-worn camera for the subject incident. A full and  
26 complete copy of this exhibit was filed under seal (Dkt. 41) as part of Defendants’  
27 Application and was served upon Plaintiff’s counsel on November 2, 2023.

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1           8. Attached hereto as **Exhibit F** is a true and correct redacted copy of the video  
2 from Officer Isasc Ipsen's body-worn camera for the subject incident. A full and  
3 complete copy of this exhibit was filed under seal (Dkt. 41) as part of Defendants'  
4 Application and was served upon Plaintiff's counsel on November 2, 2023.

5           9. Attached hereto as **Exhibit G** is a true and correct redacted copy of the  
6 video from Officer Cesar Barba's body-worn camera for the subject incident. A full and  
7 complete copy of this exhibit was filed under seal (Dkt. 41) as part of Defendants'  
8 Application and was served upon Plaintiff's counsel on November 2, 2023.

9           10. Attached hereto as **Exhibit H** is a true and correct redacted copy of the first  
10 video from Sergeant Francisco Alferez's body-worn camera for the subject incident. A  
11 full and complete copy of this exhibit was filed under seal (Dkt. 41) as part of  
12 Defendants' Application and was served upon Plaintiff's counsel on November 2, 2023.

13           11. Attached hereto as **Exhibit I** is a true and correct redacted copy of the video  
14 from Officer Nicholas Knolls' body-worn camera for the subject incident. A full and  
15 complete copy of this exhibit was filed under seal (Dkt. 41) as part of Defendants'  
16 Application and was served upon Plaintiff's counsel on November 2, 2023.

17           12. Attached hereto as **Exhibit J** is a true and excerpts from the Incident Recall  
18 for the subject incident, produced in this matter and Bates labeled CITY 0001-0003.

19           13. Attached hereto as **Exhibit K** is a true and correct redacted copy of the  
20 second video from Officer Jose Mendoza's body-worn camera for the subject incident. A  
21 full and complete copy of this exhibit was filed under seal (Dkt. 41) as part of  
22 Defendants' Application and was served upon Plaintiff's counsel on November 2, 2023.

23           14. Attached hereto as **Exhibit L** is a true and correct redacted copy of the video  
24 from Officer Kyle Griffin's body-worn camera for the subject incident. A full and  
25 complete copy of this exhibit was filed under seal (Dkt. 41) as part of Defendants'  
26 Application and was served upon Plaintiff's counsel on November 2, 2023.

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1           15. Attached hereto as **Exhibit M** is a true and correct redacted copy of the  
2 video from Officer Jesus Martinez's body-worn camera for the subject incident. A full  
3 and complete copy of this exhibit was filed under seal (Dkt. 41) as part of Defendants'  
4 Application and was served upon Plaintiff's counsel on November 2, 2023.

5           16. Attached hereto as **Exhibit N** are true and correct copies of the photographs  
6 of the broken bedroom door and door jam for the subject incident, produced in this matter  
7 and Bates labeled CITY 0002003-2004.

8           17. Attached hereto as **Exhibit O** is a true and correct redacted copy of the  
9 video from Officer Eric Schlesinger's body-worn camera for the subject incident. A full  
10 and complete copy of this exhibit was filed under seal (Dkt. 41) as part of Defendants'  
11 Application and was served upon Plaintiff's counsel on November 2, 2023.

12           18. Attached hereto as **Exhibit P** is a true and correct redacted copy of the video  
13 from Officer Marcos Gutierrez's body-worn camera for the subject incident. A full and  
14 complete copy of this exhibit was filed under seal (Dkt. 41) as part of Defendants'  
15 Application and was served upon Plaintiff's counsel on November 2, 2023.

16           19. Attached hereto as **Exhibit Q** is a true and correct redacted copy of the  
17 video from Officer Georgia Tykhomyrov's body-worn camera for the subject incident. A  
18 full and complete copy of this exhibit was filed under seal (Dkt. 41) as part of  
19 Defendants' Application and was served upon Plaintiff's counsel on November 2, 2023.

20           20. Attached hereto as **Exhibit R** are true and correct copies of the photographs  
21 of the knives found at the scene for the subject incident, produced in this matter and  
22 Bates labeled CITY 0001684 and CITY 0001689.

23           21. Attached hereto as **Exhibit S** is a true and correct redacted copy of a still  
24 photographic picture from Officer Marcos Gutierrez's body-worn camera of the knife  
25 that was projected into the yard during the subject incident, with a circle around the knife  
26 flying through the air. A full and complete copy of this exhibit was filed under seal (Dkt.  
27 41) as part of Defendants' Application and was served upon Plaintiff's counsel on  
28 November 2, 2023.

Kevin E. Gilbert  
Attorney for Defendants  
OFFICERS JESUS MARTINEZ and  
KYLE GRIFFIN